Clerk of the United States Bancruptcy Court for the Southern District of New York One Bowling Green New York

Vienna, the 29th December 2009

Bancruptcy case No: 08-1789 (BRL)

Claim No: 007173

Regarding: Opposition to the denial of Claim No. 007173

JAN -6 2010

Dear Sir or Madam,

regarding the determination of the above mentioned claim by Irving H. Picard, Esq., Trustee for the Substantively Consolidated SIPA Liquidation of Bernard L. Madoff Investment Securities LLC and Bernard L. Madoff, we believe that although not being mentioned in the books of Bernard L. Madoff Securities Investments LLC (BLMIS) as direct customer we should be viewed as customers.

- The investment world since the inception of SIPA changed significantly; while formerly most investments were conducted via direct management of accounts, "state of the art" nowadays are investments via investment funds. So the purpose of the Securities and Investor Protection Act should be reviewed as a whole.
- As an investor in Herald Fund SPC I should be as well protected as an direct investors please find a copy of my Herald holdings enclosed.
- In the proceedings (ADV. Pro. No: 09-1359 (BRL)) against Herald Fund SPC and HSBC Securities Services (Luxembourg) S.A. the trustee demands more than USD 578,033,847,-. This amount not only contains redemption proceedings which the <u>vast majority of shareholders of the fund never received</u> but also tax payments which were made on behalf of shareholders and funded by their equity.
- In the proceedings (ADV. Pro. No: 09-1359 (BRL)) against Herald Fund SPC and HSBC Securities Services (Luxembourg) S.A. the trustee demands more than USD 578,033,847,- . In demanding this amount also from HSBC, the trustee claims money which the feeder funds i.e. their shareholders should be entitled too.

Because of these reasons, I oppose the denial of my claim and ask you to review my claim again and grant it.

Thank you in advance - yours faithfully

Michaela Lintner Reithlegasse 14/10

A-1190 Vienna, Austria

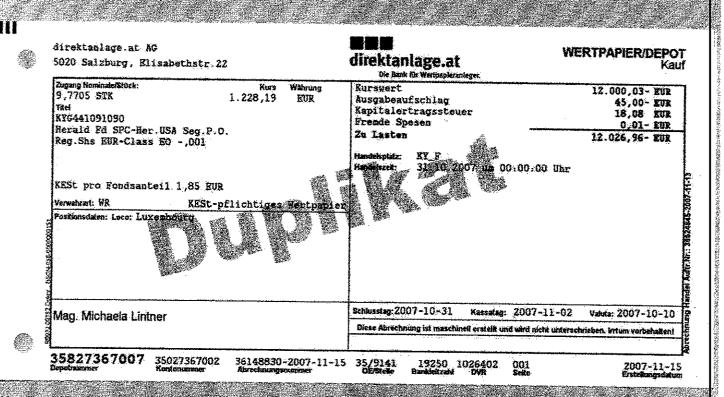
11

direktanlage.at AG 5020 Salzburg, Elisabethstr.22

direktanlage.at

WERTPAPIER/DEPOT Kauf

| | | Die Bank für Wertpapieranleger. | Nac |
|---|--|--|---|
| Zugang Nominale/Stück: 4,2479 STK Titel KYG441091090 Herald Fd SPC-Her.USA Seg.P. Reg.Shs EUR-Class EO -,001 Verwahrart: WR KESt- Positionsdaten: Loco: Luxenbourg | Kurs Wahrung 1.317,95 EUR 0. pflichtiges Wertpapier | Kurswert Ausgabeaufschlag Fremde Spesen Zu Lasten Handelsplatz: KY_F Handelszeit: 30.9.2008 up 200:00:00 Uhr | 5.598,52- EUR 20,99- EUR 0,05- EUR 5.619,56- EUR |
| Mag. Michaela Lintner | The state of the s | Schlusstag: 2008-09-30 Kassatag: 2008-10-01 Diese Abrechnung ist maschinell erstellt und wird nicht unterse | Valuta: 2008-09-22 chrieben. Irrtum vorbehalten: |
| 35827367007 3502736700: Rontonummer 3502736700: | 2 36210615-2008-10-15 Abrechnungsnummer | 35/9141 19250 1026402 001 OE/Stelle Bankfeitzahl DVR Seite | 15.10.2008 Erstellungsdatum |



Entered 01/07/10 11:06:55 08-01789-cgm Doc 1389-7 Filed 01/06/10 Claim No. Pg 4 of 4 7173 LLUNG Kurswert EUR 18.626,81 11.631,60 72,40 56.555,95 0 68.259,95 Kurswerte EUR Seite Η 4 ¥ Н H Auszug-Nr. 1/2008 D U P L Depot-Nr.: 35827367007 Mag. Michaela Lintner 35/9141 direktanlage.at AG H Ø RAUF Kurs 1.328,74 (30.11.2008) RTPAPIE × E Ç × Diese maschinelle Aufstellung wird von der Bank nicht unterschrieben. Titel
Herald Fd SPC-Her.USA Seg.P.O.
Reg.Shs EUR-Class EO -,001
Loco: Luxembourg mitteln thnen hiermit ein Verzeichnis der für Sie verbuchten Werte. Wenn Sie binnen 6 Wochen nach Erhait keine schriftlichen Einwendungen erheben, erklären Sie sich erworben wurde, ferangezogen. Alle Kurse sind trotz sorgfältiger Ermittung ohne unsere Gewahr. ingen zu Abklirzungen finden Sie auf der Rückseite. **>** H -1 闰 H W 17,04 0,11 82,85 E E 4 Anteil z ഥ E Ξ Þ เก KYG441091090 WR £, ¥ Aktien Inland Fondsanteile Inland Fondsanteile Ausland Menge 14,0184 Stk shite Kundin, sehr geehiter Kunde, Die Bank für Wertpapieranleger. ktanlage.at

ionen

rbehalteni

2009